

NOV 05 2003

1632



AMENDMENT TRANSMITTAL LETTER

Docket No.
BBI-009C3CN2Application No.
09/874389-Conf. #5305Filing Date
June 4, 2001Examiner
R. ShuklaArt Unit
1632

Applicant(s): Hermann Bujard, et al.

Invention: TRANSGENIC ORGANISMS HAVING TETRACYCLINE-REGULATED TRANSCRIPTIONAL REGULATORY SYSTEMS

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED

	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	16	- 20 =		x	0.00
Independent Claims	3	- 3 =		x	0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					0.00

☒ Large Entity☐ Small Entity☒ No additional fee is required for this amendment.☐ Please charge Deposit Account No. _____ in the amount of \$ _____.
A duplicate copy of this sheet is enclosed.☐ A check in the amount of \$ _____ to cover the filing fee is enclosed.☐ Payment by credit card. Form PTO-2038 is attached.☒ The Director is hereby authorized to charge and credit Deposit Account No. 12-0080
as described below. A duplicate copy of this sheet is enclosed.☒ Credit any overpayment.☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.DeAnn F. Smith
Attorney Reg. No.: 36,683

Dated: November 3, 2003

LAHIVE & COCKFIELD, LLP
28 State Street
Boston, Massachusetts 02109
(617) 227-7400I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 311 017 637
US, in an envelope addressed to: MS Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450,
on the date shown below.

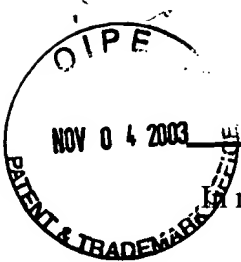
Dated: November 3, 2003

Signature: DeAnn F. Smith (DeAnn F. Smith)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re the application of: Hermann Bujard and
Manfred Gossen

Group Art Unit: 1632

Examiner: R. Shukla

Serial No.: 09/874,389

Filed: June 4, 2001

For: TRANSGENIC ORGANISMS HAVING
TETRACYCLINE-REGULATED TRANSCRIPTIONAL
REGULATORY SYSTEMS (As Amended)

Attorney Docket No.: BBI-009C3CN2

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MS Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
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CERTIFICATION UNDER 37 CFR 1.10

Date of Deposit: November 3, 2003

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I hereby certify that this 37 CFR 1.53(d) request and the documents referred to therein as enclosed are being deposited with the United States Postal Service on the date indicated above in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR 1.10 and addressed to MS Non-Fee, Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, Washington, D.C. 20231.

DeAnn F. Smith, Esq.

Name of Person Mailing Paper

Signature of Person Mailing Paper

**PRELIMINARY AMENDMENT AND RESPONSE TO RESTRICTION
REQUIREMENT**

Dear Sir:

This is a response to the Office Action mailed from the Patent Office on October 3, 2003. Prior to examination, please amend the above-referenced application as follows: